



**U.S. Department of Veterans Affairs**

Office of Small and Disadvantaged Business Utilization  
*Center for Verification and Evaluation*

# **VERIFICATION PROGRAM MyVA VERIFICATION PROCESS WORK INSTRUCTION**

**Version: 1.0**

**Revision Date: 6/20/2016**

**Owner: CVE Executive Team**

**DCN: EXEC-T4-WI-006**

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

### Table of Contents

1.0 Approval .....	3
2.0 Revision History .....	4
3.1 Supporting Information and Overarching Documents .....	5
3.2 Definitions.....	5
3.3 Overarching Documents within the Quality Management System .....	6
3.4 References .....	9
4.1 Introduction .....	12
4.2 Purpose .....	12
4.3 Scope .....	12
4.4 Roles .....	12
5.0 Process Flowchart.....	14
6.1 MyVA Verification Process Execution .....	15
6.2 Inputs and Entry Criteria.....	15
6.3 Elevation Criteria .....	15
6.3 Process Steps.....	13
7.0 Withdrawals .....	27
8.0 Outputs and Exit Criteria .....	28
Appendix A: Verification Trial Process Memo .....	29
Appendix B: Veteran Status Correction Process .....	30
Appendix C: VA form 0877 Reset Process .....	37
Appendix D: VCMS Document Request Checklist.....	33
Appendix E: Federal Review Standard .....	34
Appendix F: Current Guidance Reference Sheet.....	38
Appendix G: Post Review Findings (PRF) Policy Memo .....	58

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

**Appendix H: Assessor Recommendation Review Sheet Template.....62**

**Appendix I: PQA Templates.....77**

DRAFT

---

This document is related solely to the internal personnel rules and practices of VA OSD/BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

### 1.0 Approval

This Work Instruction titled “Verification Program, MyVA Verification Process” is approved per the signatures below:

**Document Control Number (DCN): EXEC-T4-WI-006**

_____	_____	_____
Team Lead/Functional Area (signature)	Print Name	Date

_____	_____	_____
QA (signature)	Print Name	Date

_____	_____	_____
CVE Executive (signature)	Print Name	Date

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

### 2.0 Revision History

Version No.	Revision Date	Author(s)	Brief Description of Change
1.0	12/01/2015	Katerina Bonnevaux	Combine Case Manager, Business Analyst, and Assessor Work Instructions into one Verification Trial Work Instruction. CR #:
		Gerard Fryar and QA Team	Revise process steps to include Initiation, Evaluation, and Determination Work Instructions and to include new WBS Version #5
	3/7/2016	Katerina Bonnevaux	Update previously drafted "Critical Path Work Instructions" to comply with the new Case Analyst trial process memo and incorporate the new PRF Memo

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

### 3.1 Supporting Information and Overarching Documents

### 3.2 Definitions

Term / Acronym	Definition
Administrative removal	The act of CVE removing an application from the verification process due to non-response from the applicant or failure by the applicant to submit all requested documentation.
Applicant	A business that has submitted an application for verification, and whose application is still in process.
BIRLS	The Beneficiary Identification Records Locator System (BIRLS) is an electronic information system used and administered by the Department of Veteran Affairs' Veteran Benefits Administration (VBA) that contains personal identifiable information to identify a Veteran. The Center for Verification and Evaluation (CVE) uses BIRLS to verify that an applicant owner is a Veteran.
Cancellation	The act of CVE removing the verified status of a company from the VIP database in accordance with 38 CFR § 74.22.
CA	Case Analyst
CVE	Center for Verification and Evaluation
D & B	Dun & Bradstreet
DBA	Doing Business As
DUNS	The D&B D-U-N-S Number is a unique nine-digit identification sequence, which provides unique identifiers of single business entities, while linking corporate family structures together. The D&B D-U-N-S Number has become the standard for keeping track of the world's businesses. Once a number has been allocated to a business, it can be used to identify and link millions of companies worldwide.
EPLS	Excluded Parties List System
FR	Federal Reviewer

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

Term / Acronym	Definition
FRC	Federal Review Coordinator
LA	Legal Analyst (may also be referred to as “Assessor”)
PM	Portfolio Manager
Participant	A business that has been verified as a SDVOSB or VOSB and whose verification eligibility period is still active.
POC	Point of Contact
PQA	Pre-Qualification Assessment
PRF	Post-Review Findings Program
SAM	System for Award Management
R4R	Request for Reconsideration
SDVOSB	Service-Disabled Veteran-Owned Small Business
VCMS	VetBiz Case Management System
VP	<b>Verification Program</b>
VIP	<b>Vendor Information Pages (VIP)</b> This site is used by the Center for Verification and Evaluation (CVE) to verify Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) and Veteran-Owned Small Businesses (VOSBs). SDVOSBs and VOSBs who want to participate in the VA’s Veterans First Contracting Program must be verified by CVE in order to be eligible for VA contract set-asides.
Voluntary withdrawal	The self-initiated act of an applicant removing its application from the verification process.
VOSB	Veteran-Owned Small Business

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

### 3.3 Overarching Documents within the Quality Management System

This section describes requirements of the quality management system as a reminder to the author and users of this Work Instruction.

Doc. Number	Document Name – Section #	
	Section Title	
QA-T2-PLCY-001	Quality Manual – Section 4.2.4  Entitled: “Control of Records”	
Quality Records or just “Records” are defined as objective evidences that some action has taken place. All records generated as a result of executing this Work Instruction are maintained, retained, and retrievable as delineated in the applicable section shown above.		
QA-T2-PLCY-001	Quality Manual – Sections 8.2.3 and 8.2.4  Entitled: “Monitoring and Measurement of Processes” and “Monitoring and Measurement of Product”	
The section listed above states that CVE functional areas shall monitor and/or measure key metrics in support of this functional area.		
<i>{Summary of all metrics applicable to this Work Instruction shall be documented here!}</i>		
Metric Title	Frequency Metric is Recorded	Location/Functional Role that has the Metric

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.



## MyVA Verification Process Work Instruction

---

Doc. Number	Document Name – Section # Section Title
Doc. Number	Document Name – Section # Section Title
QA-T2-PLCY-001	Quality Manual – Section 8.2.2 Entitled: “Internal Audit”
All internal audits are conducted as delineated in the applicable section shown above.	
QA-T2-PLCY-001	Quality Manual – Section 8.3 Entitled: “Control of Non-Conforming Product”
All non-conforming products/activities are documented as delineated in the applicable section shown above.	
QA-T2-PLCY-001	Quality Manual – Sections 8.5.2 and 8.5.3 Entitled: “Corrective Action” and “Preventive Action”
Corrective/Preventive Actions are documented as delineated in the applicable section shown above.	

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

Doc. Number	Document Name – Section # Section Title

DRAFT

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

### 3.4 References

Title	Date	Links
Title 38 Code of Federal Regulation part 74 (38 CFR Part 74)	6/27/2012	<a href="http://www.va.gov/osdbu/docs/38CFR74.PRF">38 CFR Part 74 (http://www.va.gov/osdbu/docs/38CFR74.PRF)</a>
Title 13 Code of Federal Regulations part 125.15(b) (Joint Ventures)		
Verification Assistance Briefs and Guide for Applicants		<a href="http://www.va.gov/osdbu/verification/assistance/briefs.asp">Verification Assistance Briefs and Guide (http://www.va.gov/osdbu/verification/assistance/briefs.asp)</a>
VIP Profile		<a href="http://www.vip.vetbiz.gov">Vendor Information Pages (www.vip.vetbiz.gov)</a>
SharePoint Site	9/22/2015	<a href="https://vawww.vaco.portal.va.gov/sites/OSDBU/QA/IFI/beta/Lists/Tracker%20My%20OVA/AllItems.aspx">OSDBU SharePoint (https://vawww.vaco.portal.va.gov/sites/OSDBU/QA/IFI/beta/Lists/Tracker%20My%20OVA/AllItems.aspx)</a>
Verification Trial Process Memo	12/11/2015	Appendix A of this Work Instruction
Post-Review Findings Process Memo	2/9/2016	Appendix G of this Work Instruction

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

### 4.1 Introduction

### 4.2 Purpose

The purpose of this Work Instruction is to establish the processes and steps taken by the members of the MyVA Verification Process Team. This team will perform reviews of businesses applying for verification as a Veteran-Owned Small Business or Service-Disabled Veteran-Owned Small Business and inclusion in the Vendor Information Pages.

### 4.3 Scope

This Work Instruction governs the actions of the MyVA Verification Process Team in reviewing applications for inclusion as a verified business in the Vendor Information Pages.

### 4.4 Roles

**Federal Review Coordinator (FRC):** Pulls new cases from VCMS daily and assigns cases to the contractor Portfolio Managers. Once contractor review is complete, FRC assigns cases to Federal Reviewers.

**Portfolio Manager (PM):** Receives cases from the Federal Review Coordinator and assigns them to a Case Analysts (CA) based on availability.

**Case Analyst (CA):** Receives cases from Portfolio Manager on a daily basis. The CA reviews the registrant's information and conducts a Welcome Call. Once the registrant submits an application, the CA completes BIRLS/EPLS checks and identifies any issues associated with the applicant's VIP Profile. The CA further reviews the Pre-Qualification Documents and completes the necessary public research. After completing the Pre-Qualification Assessment, the CA contacts the Veteran owner and conducts an interview. Upon completion of the interview, the CA generates a Pre-Qualification Assessment Report and sends it to the applicant. Once the Pre-Qualification stage is complete, the CA obtains all remaining Required Documentation from the applicant and completes a full assessment of the application. Once the assessment is complete, the CA proposes a recommendation of approval or denial. If the CA recommends denial, the case is escalated to a Legal Analyst. If the CA recommends approval, the CA drafts an approval letter and the case is assigned for Federal Review. At any time during the CA review process, the CA may escalate the case to a Legal Analyst based on case complexity or risk. Also at any time during the CA review process, the CA may recommend that the application be administratively removed due to failure by the applicant to submit requested documentation or non-responsiveness by the applicant.

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

**Intake Analyst (IA):** The IA makes the first contact with the Veteran to assist with registering the company, creating the profile, and any steps leading to the submission of an application.

**Legal Analyst (LA):** The LA holds a Juris Doctor (JD) degree and performs in-depth legal review of each application that is escalated to him/her by the CA. If a case is escalated to a LA, the LA assumes full ownership of the case and completes the remainder of the review process. When the LA takes over the case, the LA performs all of the required steps for the review until the case is sent for Federal Review. This includes making phone calls to the applicant, sending document requests, conducting a full assessment, conducting the PRF process, and drafting denial and approval letters. In lieu of formal escalation and reassignment, the CA may also informally consult with a LA on a complex fact pattern or unique legal issue. At the conclusion of this consultation, the CA and LA will determine whether formal escalation is warranted.

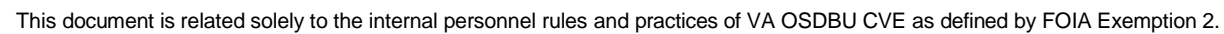
**Federal Reviewer (FR):** Reviews CA or LA's recommendation and draft determination letter. If the FR recommends approval, the FR forwards the draft approval letter to the CVE Director for signature in accordance with Federal Reviewer process. If the FR recommends denial, the FR returns the case to the FRC with instructions for the LA to initiate the PRF process. Once the PRF process is complete, the FR conducts a final review and forwards the appropriate determination letter for signature.

**Team Lead (TL):** The Team Lead is the senior Legal Analyst in charge of the quality of work coming from the team. The TL trains new members of the team, provides consultations to both CAs and LAs, makes decisions on case escalation, and oversees production of the team as a whole.

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## 5.0 Process Flowcharts



## MyVA Verification Process Work Instruction

### 6.1 MyVA Verification Process Execution

### 6.2 Inputs and Entry Criteria

<b><i>Inputs</i></b>	<b><i>Detail of Inputs and Remarks</i></b>
Registration	Applicant submits an online registration form in VIP

### 6.3 Escalation Criteria

Case Analysts will consult with a Legal Analyst for possible escalation when one or more of the following criteria are met:


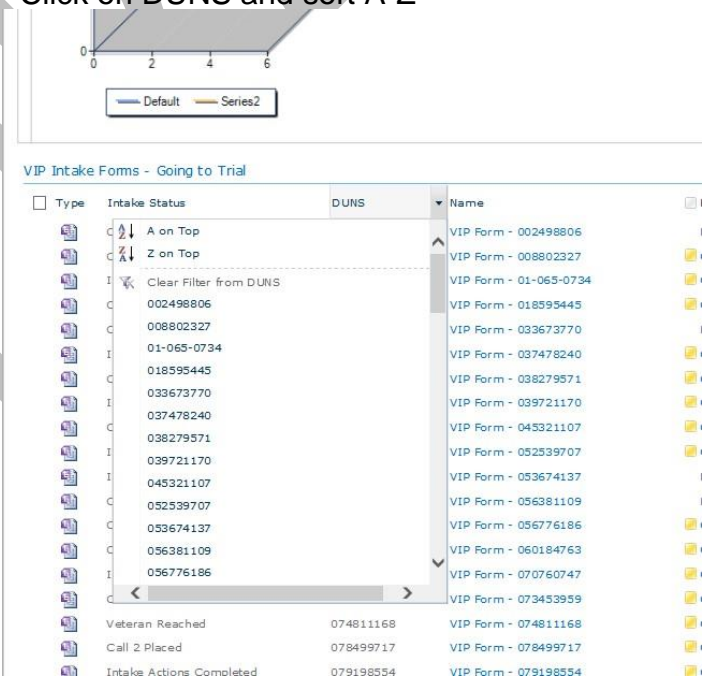
1. Issues are identified that cannot be resolved by adjusting wording to key case business documents;
2. Legal grey area issues are identified, the risk level is elevated above Medium, and/or questions exist or persist within a case that cause a Case Analyst to be uncomfortable making a recommendation;
3. One or more grounds for denial are identified during the case review process.

### 6.4 Process Steps

	<b>Task</b>	<b>Role</b>
	<b>INTAKE</b>	
<b>A1</b>	Veteran submits Verification application.	<b>VET</b>
<b>A2</b>	Sign into VCMS and pull Intake Report.	<b>FRC</b>
<b>A3</b>	Review report to match against Intake report from SharePoint solution to determine if Intake Welcome Call has been placed.	<b>FRC</b>
<b>A4</b>	Review report to determine if any cases require special handling per direction of the CVE Director or Deputy Director.	<b>FRC</b>
<b>A5</b>	Assign cases to Portfolio Manager(s) based on available capacity. Document all actions in MIS.	<b>FRC</b>
<b>A6</b>	Receive assignment from FRC and assign to CA. If any cases are designated for Special Handling, these cases should be given priority.	<b>PM</b>

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
A7	<p>Go to the SharePoint Intake database and search by DUNS number. On the form, check that the application was submitted, then click print preview to save the Intake Form as a PDF file to your desktop or other folder.</p> <ol style="list-style-type: none"> <li>Open Intake Database: <a href="https://vaww.vaco.portal.va.gov/sites/OSDBU/CVE%20Management/SitePages/VIP%20Intake.aspx">Open Intake Database</a> (<a href="https://vaww.vaco.portal.va.gov/sites/OSDBU/CVE%20Management/SitePages/VIP%20Intake.aspx">https://vaww.vaco.portal.va.gov/sites/OSDBU/CVE%20Management/SitePages/VIP%20Intake.aspx</a>)</li> </ol>  <ol style="list-style-type: none"> <li>Search for the intake form. [this will change shortly, but for right now, this is what we have to do] <ul style="list-style-type: none"> <li>Click on the TRACKING icon, then scroll down to VIP Intake Forms – Going to Trial.</li> <li>Click on DUNS and sort A-Z</li> </ul> </li> </ol>  <ol style="list-style-type: none"> <li>Scroll to the correct DUNS number,</li> </ol>	CA

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

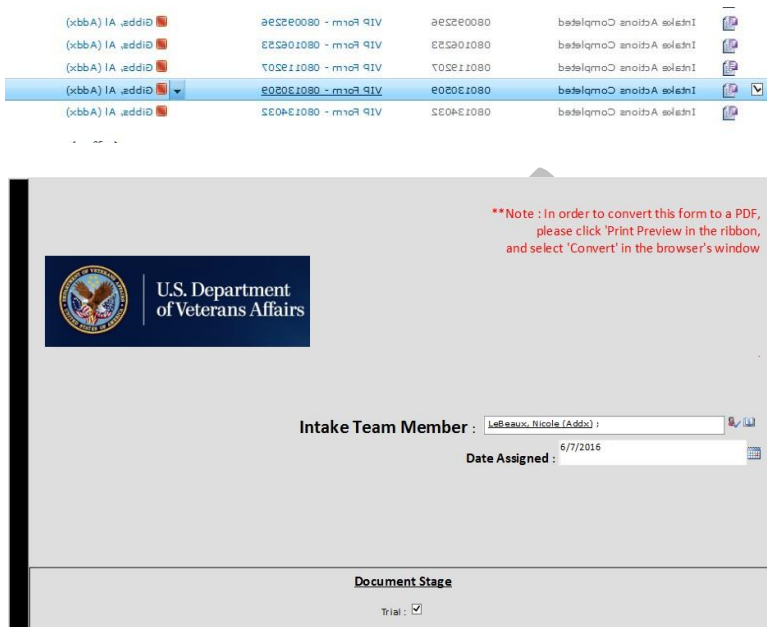


## MyVA Verification Process Work Instruction

Task

Role

and click on the VIP Form – DUNS.  
That will open the form.



U.S. Department of Veterans Affairs

Intake Team Member :

Date Assigned :

Document Stage

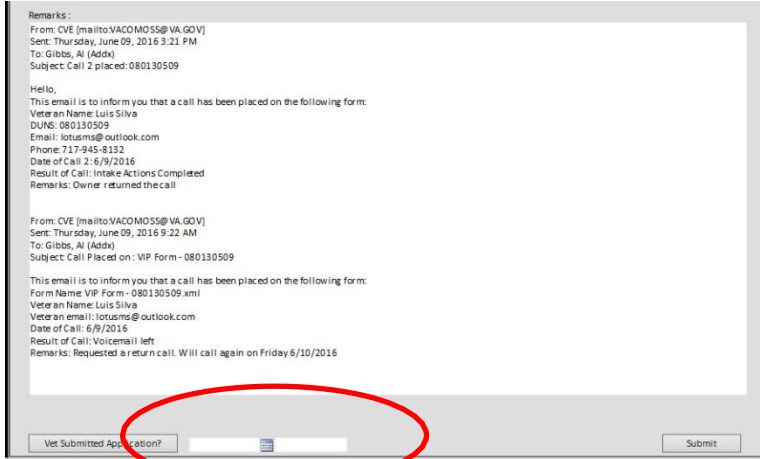
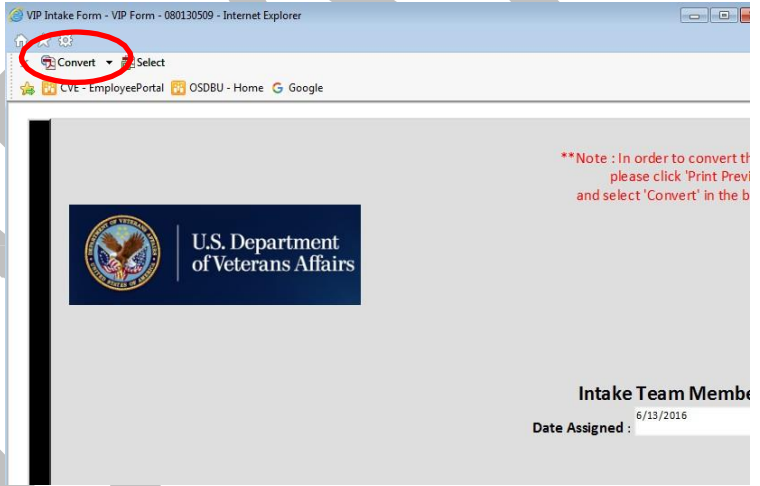

Trial : ☒

4. Review the remarks at the bottom,  
and fill in the date that the Vet  
submitted the application. You'll find  
this on the email sent from the FRC.

Duns	BusinessName	VerificationType	QueueStartDate	DaysInVcms	Assigned To Trial Date
079678073	Veterans United Construction, LLC	REG	6/11/2016 4:13:13 PM	2	6/13/2016
080130509	LOTUS Marketing Solutions *	REG	6/11/2016 4:40:40 PM	2	6/13/2016
078592401	LeadingLeaders LLC	REV	6/11/2016 5:18:13 PM	2	6/13/2016
035392020	PriCorps, LLC	REV	6/12/2016 4:00:45 PM	1	6/13/2016
829368310	Precept Surveying LLC	REG	6/12/2016 6:02:26 PM	1	6/13/2016
079897092	Semper Fi Network Cabling, Inc.	REG	6/12/2016 6:16:23 PM	1	6/13/2016
186482647	117 TECHNOLOGIES, INC	REG	6/12/2016 9:03:28 PM	1	6/13/2016

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
	 <p>5. Click "Print Preview" in the ribbon at the top of the page, then click "convert" to save as a PDF to your desktop (or wherever you want to store this temporarily).</p>  <p>6. Click submit at the bottom of the form to close it out.</p> 	

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
A8	Sign into VCMS and search for the assigned case by DUNS number.	CA
A9	Upload the Intake form to 10.3, then delete the Intake form from the local drive.	CA
A10	Check BIRLS/EPLS for all owners and make note of Veteran status, and Veteran's name. Follow the steps below to check the information on the 0877 against BIRLS, DD 214, or DoD letter; also make note of total ownership percentage; expired (2 years from signature); non-Veteran listed as the majority owner, etc. Note: A form DD 214 is used to validate Veteran status only NOT for determining service disconnected disability. If there are errors or inconsistencies, notify the Veteran that the 0877 must be reset (See Appendices B and C for BIRLS status corrections and 0877 reset instructions.)	CA
A11	Click on Owners to view the owner(s) name, ownership percentage, Veteran Type and email address.	CA
A12	To view 0877 (and Affirmation Page) click on arrow next to name	CA
A13	Look at <i>e-signature date</i> to ensure that 0877 falls within 24 calendar months. The <i>e-signature Type</i> identifies if Renewal or Registration (new application). <i>Signed?</i> indicates if the owner has signed. The <i>e-signature status</i> indicates if 0877 is viewable. Click on View to open 0877	CA
A14	Confirm that Veteran has a complete 0877 (ownership %, Veteran status, SSN, DOB, signature and date signed)	CA
A15	Go to left and click BIRLS/EPLS.	CA
A16	In order to validate Veteran status, you must check BIRLS. Sign into the Citrix XenApp application via the following link <b>vbahinescitrix.vba.va.gov/VBApps/auth/login.aspx</b> with your VACO user name, password, and the domain "DVA."	CA
A17	Click Share_nVBA	CA

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
A18	Sign in with your Password and type "101" for Station. Click OK	CA
A19	Go to VBA Ready Screen enter File Number or SSN (can be found on 0877) to check Veteran status in BIRLS. You can also search by Name, Service Number and Insurance Number. Click Submit	CA
A20	<p>If owner list their status as Veteran on the 0877, you must ensure the SSN (or File Number) Name and Date of Birth matches the information that is provided on 0877. <b>Note: a commonly used nickname (e.g. Bob for Robert) is acceptable if the SSN and DOB match.</b> If there is an error or mismatch, the 0877 must be corrected; the 0877 is reset and the Veteran is notified via email. There must be no entry for Date of Death (Veteran must be alive). Check CHAR SVC (character of service). If Veteran was dishonorably discharged, he or she is not eligible to participate in the program, send EXIT EMAIL stating "your records reflect dishonorable discharge. You have 5 days to submit documentation proving your most recent discharge was other than honorable or else you will be administratively removed." If the Veteran has Honorable (Hon) or Other-than-Honorable discharge (OTH) they are eligible, continue to step <b>A21</b>.</p>	CA
A21	If owner selects Service Disabled Veteran, click on the InactiveComp & Pen tab (sometimes ratings are listed here). If no disability information is listed, click Ready. Then click Corporate Inquiry and enter File Number or SSN. This is where you can see more detailed information on disability rating. Click Submit.	CA
A22	Click Award/Ratings tab. Then Click Rating Information Tab. (The Rating Information list disability rating (from 0% to 100%+) and the Decision. We must see a percentage from 0% to 100%+ and the decision that states "Service Connected.") Click Ready at bottom.	CA

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
<b>A23</b>	If errors found, send document request for BIRLS issues as necessary, and continue to <b>Step A25</b> . If no issues found, go to <b>Step A25</b> .	<b>CA</b>
<b>A24</b>	In the applicant's VIP profile, in the Company Information Tab, check the "duplicate owner warning" button. If it indicates that there is a duplicate owner warning, check all of the listed companies and compare 0877s to see if the current owners also own other companies. If they do, check their Verification status.	<b>CA</b>
<b>A25</b>	Go to SAM website <a href="http://www.sam.gov">www.sam.gov</a> to conduct search in EPLS. Click Search Records.	<b>CA</b>
<b>A26</b>	Enter owner's name and click Search	<b>CA</b>
<b>A27</b>	Go to left and click on Performance Information. Click OK in dialogue box.	<b>CA</b>
<b>A28</b>	Click Entity Information	<b>CA</b>
<b>A29</b>	Click Individual Name	<b>CA</b>
<b>A30</b>	Enter owner's name. Then Click SSN box. Type SSN and click Apply Filters	<b>CA</b>
<b>A31</b>	If search results state No for Active Exclusion, name does not match or No record found, the owner is good and not in EPLS. <b>Go to Step A33</b> . If Yes for active exclusion and name matches <b>go to Step A32</b> .	<b>CA</b>
<b>A32</b>	If record found and there is a match, send exit email, and prepare removal report.	<b>CA</b>
<b>A33</b>	Update VCMS to indicate that BIRLS/EPLS check is good. Change VCMS queue to L1.	<b>CA</b>
<b>A34</b>	Click BIRLS Checked and EPLS Checked box	<b>CA</b>
<b>A35</b>	Conduct Welcome Call with Primary Veteran owner to go through the process, set expectations, address BIRLS/EPLS issues (if necessary), and explain the next steps.	<b>CA</b>

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
<b>A36</b>	b) If CA cannot make contact with the Primary Veteran owner after 3 attempts, CA creates Removal Report and the registrant is administratively removed. END OF PROCESS	<b>CA</b>
<b>A37</b>	If Welcome Call is successful, go to <b>Step A38</b> .	<b>CA</b>
<b>A38</b>	Conduct public research by searching for the applicant in D&B, SAM, and the SBA. Also search LinkedIn, the applicant's website (if any) and perform Google searches on the company's name, address, telephone number, as well as all of the owners' names.	<b>CA</b>
<b>A39</b>	Create the Case Tracking Form (CTF) by taking screen shots of all of the searches in Step A38 and pasting them into the <b>form template</b> . Add a research summary and make note of any red flags.	<b>CA</b>
<b>A40</b>	Make a note in the Remarks section of VCMS and state that the Public Research has been completed	<b>CA</b>
<b>A41</b>	Review the submitted PQA documents and enter the appropriate information into the CTF. During the review, determine if the case will require a Simplified or Complex Review. If the application appears that it will be a <b>Simplified Pre-Qualification</b> , proceed to <b>Step B1</b> . If the application appears that it will be a <b>Complex Pre-Qualification</b> , consult with the Team Lead to determine if the case will be escalated. If yes, then this will be the end of the process for the CA. The Legal Analyst will assume full ownership of the case and will follow the steps described in <b>Step D1</b> .	<b>CA</b>
<b>A42</b>	Contact the Veteran to schedule the PQA Interview.	<b>CA/LA</b>
<b>SIMPLIFIED PRE-QUALIFICATION</b>		
<b>B1</b>	Contact Veteran for PQA Interview call.	<b>CA</b>

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
	<p>a) If Veteran cannot be reached, CA will leave a message, record the attempt in VCMS remarks and will attempt the phone call 2 more times throughout the course of 2 business days. If the Veteran cannot be reached and makes no attempts to call the CA back, CA will send an exit email and the application is administratively removed. END OF PROCESS</p> <p>b) If the Veteran can be reached, go to Step <b>B3</b>.</p>	
<b>B2</b>	<p>Conduct PQA Interview Call.</p> <p>a) CA will conduct the PQA Interview call by reviewing the draft PQA report with the applicant and asking detailed questions to anticipate any potential problems, or special documents that will be needed.</p> <p>b) If there are issues identified with the PQA documents, the CA will explain the problems and refer the Veteran to a Verification Assistance counselor, if needed. A summary of the issues will be provided to the applicant in writing after the PQA Interview Call is completed. Make a note in VCMS to state that the phone call was made and whether any errors were found.</p>	<b>CA</b>
<b>B3</b>	Complete the PQA Report to include any additional information obtained during the PQA Interview. Save the PQA Report as a .pdf file and upload both a .doc version and a .pdf version to Section 10.3 in VCMS.	<b>CA</b>
<b>B4</b>	<p>Send PQA report to applicant and annotate all actions in VCMS remarks.</p> <p>a) If no PQA issues identified, send PQA report and request for remaining required (VALIDATION) documents ("full documents").</p> <p>b) If PQA issues identified, send PQA report and request for corrective documentation to address the issue(s).</p>	<b>CA</b>
<b>B5</b>	Request all remaining required (VALIDATION) documents	<b>CA</b>
<b>B6</b>	Applicant submits remaining required documentation.	<b>VET</b>

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
	<p>a) If applicant does not upload all required documents by the established due date and 3 phone calls, CA sends Exit Email granting one final extension.</p> <p>b) If applicant does not upload all required documents by the final extension due date, CA creates Removal Report and the applicant is administratively removed. END OF PROCESS</p> <p>c) Review documents submitted to ensure all required documentation has been uploaded.</p> <p>d) If applicant uploads all required documents, go to Step <b>B7</b>.</p>	CA
<b>B7</b>	<p>Review the submitted documentation and decide if this case will require a <b>Simplified or Complex Assessment</b>. <b>If the case requires a Complex Assessment, consult with the Team Lead and the case may be assigned to a Legal Analyst (if this is the case, go to Step E1).</b> If the case will be a Simplified Assessment, the case will remain with the Case Analyst, continue to <b>Step C1</b>.</p>	CA
<b>SIMPLIFIED ASSESSMENT</b>		
<b>C1</b>	<p>Once all required documentation has been uploaded, the case is ready for Assessment. Make a note in VCMS Remarks and move the file to the <b>Examination</b> Queue – <b>the REGULATORY CLOCK WILL NOW START</b>.</p>	CA
<b>C2</b>	<p>Review all of the public research, and all of the submitted documents and start filling out the Assessment section of the CTF. Also review VCMS case remarks, and any previous evaluations, site visits, and NOPCs contained in section 10.3. Conduct additional internet searches if required.</p>	CA
<b>C3</b>	<p>If additional documents or clarifying letters are required, make a phone call to the Veteran and explain what is needed and send out a document request. Make a note in VCMS Remarks and <b>make note of the deadline</b>.</p>	CA

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.



## MyVA Verification Process Work Instruction

	Task	Role
<b>C4</b>	At this stage of the review, CA can decide once more if this case will require a Complex Assessment, if this is the case – consult with the Team Lead, who will explore possible options for Resolution, if it determined that the case is complex or there are strong denial reasons, the case will be assigned to a LA. <b>If escalation required Go to Step E1. End of CA process. If no escalation required, continue to Step C5.</b>	<b>CA</b>
<b>C5</b>	Once all additional documents are received, continue with the Assessment and update the CTF. If denial reasons are identified and the case will require the PRF process – <b>Escalate to the Team Lead for assignment to an LA, Go to Step E1.</b> If the case is an Approval, continue to <b>Step C6.</b>	<b>CA</b>
<b>C6</b>	Finish the CTF with a recommendation under each regulatory requirement with corresponding screenshots. Save and upload to section 10.3 in VCMS.	<b>CA</b>
<b>C7</b>	Add the recommendation in the VCMS Recommendations tab.	<b>CA</b>
<b>C8</b>	Notify your Portfolio Manager that the case is ready.	<b>CA</b>
<b>C9</b>	The Portfolio Manager (PM) will draft the Approval Letter via the letter wizard and review the CTF to make sure that everything was completed, nothing was forgotten, and everything was uploaded as required. The Team Lead will review any cases with a risk rating of Medium or higher. The PM will also ensure the appropriate remarks were annotated in VCMS. Make corrections as needed.	<b>PM</b>
<b>C10</b>	PM assigns to Federal Case Coordinator (FRC)	<b>PM</b>
	<b>ESCALATION – COMPLEX PRE QUALIFICATION</b>	
<b>D1</b>	LA receives case from the TL as an escalation from the CA stating that the case has red flags that requires a complete pre-qualification.	<b>LA</b>

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
<b>D2</b>	LA reviews Public Research, Pre-Qualification documents, CA comments and creates a preliminary PQA report.	<b>LA</b>
<b>D3</b>	LA contacts Veteran via telephone to conduct the PQA interview.	<b>LA</b>
<b>D4</b>	If the LA is unable to reach the Veteran on the first try, attempt 2 more times over the course of 3 days (for a total of 3 attempts in 3 days), record these attempts in VCMS each time. If all the tries are unsuccessful, send applicant an exit email.	<b>LA</b>
<b>D5</b>	Once the LA makes contact with the Veteran, conduct PQA interview, discuss the PQA documents and any changes that need to be made in order to comply with 38 CFR 74. Place a remark in VCMS describing the phone call.	<b>LA</b>
<b>D6</b>	After the phone call, complete the PQA report and highlight any problems in the report, if problems are identified, send a document request.	<b>LA</b>
<b>D7</b>	Send PQA Report to the Veteran and place a remark in VCMS.	<b>LA</b>
<b>D8</b>	Place a note in VCMS Remarks and state that the PQA Report was sent and identify any required changes, and state the deadline for the document request (if any). If no issues, continue to <b>Step D10</b> , if issues, go to <b>Step D9</b> .	<b>LA</b>
<b>D9</b>	If a document request was sent, follow up with a phone call to the Veteran explaining what is needed and the deadline. Wait for the documents to be uploaded. Once documents have been provided, review and repeat this step as necessary if issues still remain. If issues have been cleared, continue to <b>Step D10</b> .	<b>LA</b>
<b>D10</b>	Send Full Document request requesting all of the remaining required (VALIDATION) documents and state the deadline. Follow up with a phone call to the Veteran and place a remark in VCMS	<b>LA</b>

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
<b>D11</b>	Make reminder phone calls to the applicant (no more than 3) to make sure the documents are uploaded by the deadline. If the deadline is missed and the Veteran has not tried to get an extension, send an exit email.	<b>LA</b>
<b>D12</b>	When notification is received through VCMS that documents have been uploaded, review to ensure that the Veteran uploaded all required documents. If documents are still required, send document request again and follow up with a phone call, repeat as needed, then proceed to the next step.	<b>LA</b>
<b>D13</b>	Once all documents have been received, place a remark in VCMS stating that the case is ready for evaluation, and move the case from the L1 to the EX queue. <b>Go to Step E2.</b>	<b>LA</b>
<b>ESCALATION - ASSESSMENT COMPLEX</b>		
<b>E1</b>	If receiving the case as an escalation from the TL (case might arrive from the TL or the Federal Reviewer), review research summary, PQA report, remarks, PQA documents, notes from the CA, and any other relevant documents, then proceed with the Assessment by following all the steps below, starting with <b>Step E2.</b>	<b>LA</b>
<b>E2</b>	Once the case is in the Examination Queue – the <b>REGULATORY CLOCK WILL START/BE RUNNING</b> and will only stop if document requests are sent to the Veteran, once the documents are uploaded by the applicant, the clock will re-start.	<b>LA</b>
<b>E3</b>	Review all of the public research, and all of the submitted documents and start filling out the ctf. Also review VCMS case remarks, and any previous evaluations, site visits, and NOPCs contained in section 10.3. Conduct additional internet searches if required.	<b>LA</b>
<b>E4</b>	If additional documents or clarifying letters are required, make a phone call to the Veteran and explain what is needed and send out a document request. Make a note in VCMS Remarks and make note of the deadline.	<b>LA</b>

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
<b>E5</b>	Once all additional documents are received, LA continues with the Assessment and updates the CTF. If denial reasons are identified and the case will require the PRF process – Follow the steps below starting with <b>Step E6</b> . If the case does not have denial reasons and will result in an approval, follow the steps in Assessment Simplified, starting with <b>Step C5</b> .	<b>LA</b>
<b>E6</b>	Complete CTF and make recommendation for each point with supporting screenshots where applicable. Highlight denial findings and reasoning in the CTF. Upload CTF to section 10.3 of the applicant's VCMS profile.	<b>LA</b>
<b>E7</b>	Draft the denial letter and save as a Word document. Make sure all fields are correct including: company name, address, Veteran's name on first page and all subsequent page headers, remove any highlighting, make sure denial paragraphs include references to the regulation and are in clear understandable language.	<b>LA</b>
<b>E8</b>	Upload Draft Denial Letter to section 10.3 of applicant's VCMS file and add a recommendation in the VCMS Recommendations tab, listing each area of non-compliance identified. [Add risk scoring criteria established in EVAL WI]	<b>LA</b>
<b>E9</b>	Notify PM that case is a recommended PRF and is ready for Federal Review.	<b>LA</b>
<b>E10</b>	Once Federal Review is complete, the Federal Reviewer notifies the PM that the pre-PRF review is complete and the file is ready for PRF. If Federal Reviewer made any updates the Draft Denial Letter, it will be uploaded to the applications profile in VMCS under section 10.3. Federal Reviewer will also place a remark in VCMS using the "Send Back" button stating that the review is complete and their recommendation.	<b>FR</b>
<b>E11</b>	LA receives case back from PM	<b>LA</b>

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
E12	LA sends PRF email to applicant. The PRF email will state the findings, and provide the applicant with the opportunity to correct the findings, withdraw its application, or accept a determination letter based on the findings. The PRF email will contain a PRF Election Form to allow the applicant to notify the LA of its decision. The applicant must submit the PRF Election Form within 2 business days of receipt of the PRF email.	LA
E13	Within 24 hours of issuing the PRF email, LA will make a PRF phone call to the applicant. During the phone call, the LA will explain the PRF process and the applicant's options. If the first phone call is not answered, the LA will make a second attempt the next business day. The LA will only make two phone calls, and if the Applicant cannot be reached, the PRF process will continue in accordance with this WI.	LA
E14	<p>If the applicant submits a timely PRF Election Form, the following processes will be followed, based upon the applicant's election:</p> <p>a) If the applicant elects to participate in the PRF process, the applicant will then have 5 business days to submit corrective documents. <b>Go to Step E16.</b></p> <p>b) If the applicant elects to withdraw, <b>go to Step E18.</b></p> <p>c) If the applicant elects to receive a denial letter. Process as a Denial. The denial letter will be submitted for final federal review within 48 hours of the applicant submitting its Election Form. <b>Go to Step E20.</b></p>	LA
E15	Once the applicant states that they wish to participate in the PRF process, send a document request and update remarks indicating that the applicant is undergoing PRF and has 5 business days to submit correcting documents. Clearly indicate the deadline in the document request and in the VCMS remarks.	LA

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
<b>E16</b>	<p>If corrective documents are sent within the 5 business days, the LA will have an additional 5 business days to review the documents to determine whether the issue(s) is cured. If the new documents adequately resolve the issue(s), process as an Approval. <b>Go to Step E21.</b> If the applicant fails to submit new documents within 5 business days or if the new documents do not correct the findings, send Final PRF Email and allow the Applicant 2 days to respond with their intent to Withdraw or receive a denial letter.</p> <p><b>NOTE: The LA has the option to request another Federal Review prior to sending the Final PRF Email. Follow steps E10-E11 if a second Federal Review is needed.</b></p>	<b>LA</b>
<b>E17</b>	<p>If the Veteran states that they wish to withdraw as a result of the initial or final PRF email, allow the applicant 2 business days to actually withdraw their application from VCMS. If withdrawal is not completed within 2 business days, <b>go to Step E19.</b></p>	<b>LA</b>
<b>E18</b>	<p>If the Veteran withdraws – END PROCESS – notify PM that Veteran withdrew.</p>	<b>LA</b>
<b>E19</b>	<p>If applicant does not respond to the PRF email, OR if applicant does not respond or withdraw on time to the Final PRF email, OR if the applicant requests a Denial Letter at any point, add a denial recommendation in the VCMS Recommendations tab, providing a summary of the PRF history. [Add risk scoring criteria established in EVAL WI]. Use the Letter Wizard to create the auto-denial letter and notify Portfolio Manager to forward the case to for Federal Review as a denial.</p>	<b>LA</b>
<b>E20</b>	<p>Update the CTF by indicating how each previously denied finding has been resolved by the PRF corrections, provide corresponding screenshots. Save and upload to section 10.3 in VCMS.</p>	<b>LA</b>

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
<b>E21</b>	Add a recommendation to the “Recommendations” tab in VCMS and add risk scoring criteria established in the EVAL WI. Notify your PM that the case is ready.	<b>LA</b>
<b>E22</b>	PM generates an auto-approval letter using the Letter Wizard instructions outlined in the EVAL WI and reviews the CTF to make sure that everything was completed, nothing was forgotten, and everything was uploaded as required. The Team Lead will review any cases with a risk rating of Medium or higher. The PM will also ensure the appropriate remarks were annotated in VCMS. Make corrections as needed.	<b>PM</b>
<b>CASE VARIANCES</b>		
<b>F1</b>	Individual Cases fact patterns that require possible deviation from Work Instruction procedures:  a) Identified by Legal Analyst or Case Analyst; or  b) Identified by Federal Review personnel.	<b>CA/L A/FR</b>
<b>F2</b>	Identified issue written up in detail and sent to Federal Evaluation Team Lead and Federal Deputy Team Lead.	<b>FR</b>
<b>F3</b>	Federal Evaluation Team Lead or Federal Deputy Team Lead brings to CVE Director or Deputy Director via oral discussion or email.	<b>FR</b>
<b>F4</b>	CVE Director or Deputy Director approves or denies proposed process deviation depending on fact pattern. Director or Deputy Director’s decision to approve or deny the proposed process deviation must be in writing and saved in VCMS Section 10.3.	<b>FR</b>
<b>F5</b>	Federal Evaluation Team Lead or Federal Evaluation Deputy Team Lead relay decision to Assessor, Case Analyst, or Federal Review staff.	<b>FR</b>
<b>F6</b>	Assessor or CA processes case as directed and memorializes decision and actions in VCMS.	<b>CA/A</b>

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

	Task	Role
<b>F7</b>	<b>Case Variance: Joint Venture:</b> Follow all steps listed in this work instruction, but use the Joint Venture Review Sheet rather than the Assessor review sheet.	<b>CA/L A/FR</b>
<b>F8</b>	<b>Case Variance: NAICS code based Denial/PRF:</b> If multiple points of failure are identified along with an Other Than Small NAICS codes, or single point of failure related to Other Than Small NAICS codes, use Other Than Small NAICS paragraph findings language.	<b>LA</b>
<b>F9</b>	Draft the Initial PRF Email and use the Other Than Small NAICS paragraph findings language and follow the PRF the PRF steps outlined above.	<b>LA</b>
<b>F10</b>	If the applicant does not remove all Other Than Small NAICS Codes within the five (5) day correction period, follow PRF steps above for processing as final PRF.	<b>LA</b>

### 7.1 Withdrawals

- Voluntary: Trial Participants can withdraw from the Trial based on information provided by the Case Analysts or Legal Analysts if it is believed that the Trial Participant will not gain approval due to various circumstances. Or, the applicant says this is not for them and they do not want to move forward.
- Administrative Removal: Trial Participants will be removed from the Trial queues for the following reasons:
  - Failure to provide required documents in a timely manner.
  - Failure to respond to the Case Analyst's or Legal Analyst's contact attempts.

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.



## MyVA Verification Process Work Instruction

**Terms:** Trial Participants have thirty (30) days to complete their VIP profile and remain at the Edit Business Workflow status. After 30 days of no movement on the case and no response from the Veteran; the Intake Team will send Notification of Withdrawal from Trial Program.

**Notification of Administrative Removal from Trial Program** stipulates a 3 business day response period. If no contact is established during this time frame; the Final Removal from Trial Program is sent via VCMS.

### 8.1 Outputs and Exit Criteria

Output	Details of Outputs and Remarks
VCMS/VIP	Research File, PQA Report, Evaluation Report and Recommendation Letter uploaded to VCMS

#### Exit Criteria

- Completed Recommendation is forwarded to the Federal Review Team

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

# MyVA Verification Process Work Instruction

## Appendix A – Verification Trial Process Memo

---



Department of  
Veterans Affairs

Memorandum

**Date:** December 11, 2015

**From:** Acting Director, Center for Verification and Evaluation (CVE)

**Subj:** CVE Case Trial Process Memo Case Analyst Process

**To:** CVE Distribution

1. **Purpose:** To Promulgate Process Order of Verification Trial Using Case Analyst Concept
2. **Background:** The CVE Verification Trial is ongoing. This memorandum establishes current process and responsible contractor/federal team entity tasked to carry out each task. Sub details should be established via codified Work Instruction (WI).
3. **Action:** Effective immediately the following major steps and associated responsible contractor for the trial will be used in the following order:
  - I. Process:
    - 1) Assignment Manager assigns cases to Case Analyst
      - a) Assigns and tracks cases within the trial team
      - b) Can be cross trained and act as Case Analyst
    - 2) Case Analyst
      - a) Completes BIRLS and EPLS
      - b) Oversees assigned cases
      - c) Collects pre-qualification documents
      - d) Performs public research, and fills out research sheet
      - e) Conducts PQA and follow on verification process on potential approval cases
      - f) Triages case
      - g) Consults with Juris Doctorate Reviewer as required
      - h) Performs substantive evaluation on low risk approval or low risk potentially approvable (PRF) cases
        - a. Fills out review sheet to include analysis and recommendation
        - b. Drafts approval letter
        - c. Forwards for Federal Review

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- i) Forwards high risk (red flags) and denial cases to Juris Doctorate Reviewer identified in triage
      - a. Juris Doctorate Reviewer takes case over at point of assignment within the process when legal Findings paragraph is required
        - i. Conducts PQA
        - ii. Conducts all follow on process until Federal Review
  - 3) Team Composition:
    - a) 1 Assignment Manager
    - b) 3 Case Analysts
    - c) 1 Juris Doctorate Reviewer
  - 4) All time for this trial to be reported for each activity to the Assignment Manager for Consolidation
    - a) Includes all contract positions
    - b) Includes Federal Review
    - c) Federal feedback to Assignment Manager
  - 5) Federal Program Manager is John Perkins
- II. Work Instruction (WI) to be developed for the above process
- III. Start Date: 14 December 2015



Elizabeth E. Torres  
Acting Director



---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

### Appendix B – Veteran Status Correction Process

The CA checks BIRLS and identifies the below listed:

- No BIRLS record
- Character of service unknown
- Name does not match
- No record of service connected disability

The CA **will**, send a document request (with a 7-day suspense date) to the Veteran owner with a statement that instructs the Veteran to perform **one** of following actions:

1. Proceed to nearest VBA regional office to have the following information updated in BIRLS:
  - a. DD214
  - b. Department of Defense or Department of Veterans Affairs disability rating letter (if applicable).
  - c. Certified documentation of name change (if applicable).
2. Upload in VIP section 1.1 “License” a legible copy of:
  - a. DD214
  - b. Department of Defense or Department of Veterans Affairs disability rating letter (if applicable).
  - c. Certified documentation of name change (if applicable).

Once the Veteran has uploaded his/her DD214, disability rating letter or certified documentation of name change into Section 1.1 “License,” the Initiation Analyst will ensure it is legible and validate the information by name and social security number. If the information is unverifiable and/or not legible, the Veteran will be requested to upload legible documentation and/or provided guidance to ensure the documentation can be verified (i.e., Notary stamp, court documents, etc.).

1. DD214 – check Veteran name, SSN, DOB and discharge type (i.e. Honourable, other than Honourable, Dishonourable, etc.). Ensure information matches 0877
2. DOD/VA disability rating letter - check Veteran name, SSN, DOB and disability rating percentage. Ensure information matches 0877.

Certified documentation of name change – check for notary, court information, Veteran name, SSN, DOB and new name. Ensure information matches 0877.

## MyVA Verification Process Work Instruction

### Appendix C – VA form 0877 Reset Process

---

**Source:** Email from VCMS

**Purpose:** To inform Veterans they have **7 days** to sign VA 0877 that was reset for new E-signature

**Location:** Q:/Initiation/VCMS REMARKS VERBIAGES

#### **Unable to view 0877**

*In our attempt to review and assess your application (VA form 0877) for entrance into the VIP program, we discovered an error causing limited access to your application. In order to process your application, we request your assistance in signing and resubmitting a new VA form 0877. Upon receipt of a new VA form 0877, we will re-examine it for completeness. You will have **7 days** (from enter today's date) to respond or we will remove your application and you can reapply at any time.*

#### **Business listed instead of person**

*In reviewing your application (VA form 0877) for entrance into the VIP program, we discovered that an entity was listed as a business owner. In order to process your application you must list the name of all business owners. We request your assistance in signing and resubmitting a new VA form 0877. Upon receipt of a new VA form 0877, we will re-examine it for completeness. You will have **7 days** (from enter today's date) to respond or we will remove your application and you can reapply at any time.*

#### **Non-Veteran listed as majority owner**

*In reviewing your application (VA form 0877) for entrance into the VIP program, we discovered that a Non-Veteran was listed as majority business owner. Our program requires a Veteran to be listed as the majority business owner. In order to process your application, we request your assistance in signing and resubmitting a new VA form 0877. Upon receipt of a new VA form 0877, we will re-examine it for completeness. You will have **7 days** (from enter today's date) to respond or we will remove your application and you can reapply at any time.*

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

This document is related solely to the internal personnel rules and practices of VA OSD/BU CVE as defined by FOIA Exemption 2.

## APPENDIX D- VCMS Document Request Checklist

Item No.	Checklist Item
1.	Open case in VCMS (Tab 1)
2.	Copy case URL
3.	Past case URL in a new tab (Tab 2)
4.	Tab 2; click on "Email" (located at the top of the screen in the blue bar)
5.	Tab 2; type in case DUNS in DUNS box, click "Search"
6.	Tab 1; open the "Document Review" tab; click "Request Additional Documents"
7.	Select the types of documents needed from the list; click "Continue"
8.	Reason for Request: type "N/A"; click "Send Request"
9.	Request Additional Documents Dialogue Box; click "Close"
10.	Tab 2; search the DUNS (again) and CANCEL the outgoing email (within 60 seconds of sending the "Request Additional Documents" from Tab 1)
11.	Check the status of the request to ensure you canceled the initial email in the allocated timeframe by viewing the "Status" tab
12.	Tab 1; click "Send Email" located in the top left corner
13.	Manually enter email subject line and message; click "Send"

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

---

**Appendix E – Federal Review Standard**

**Federal Review Priority by Case Type once assigned for Federal Review:**

1. Priority Processing Cases
2. Renewal
3. PRF Cases/R4R/Cancellation
4. Change Requests

**Initial Evaluation average-1 hour per case (Denials-PRF/Change Requests/Renewals)**

- Review case Assessor Review Sheet and remarks in VCMS generated by Case Analysts/Legal Analysts. Ensure all “findings” match overall recommendation.
- Ensure appropriate review is conducted for Change Requests and Renewals with changes for issues raised by changes as required by CFR 38 Part 74
- Review VCMS remarks to ensure that a successful BIRLS check was performed.
- If denial, review draft letter for accuracy (grammar, formatting, and regulatory application). If approval, review appropriate draft letter.
- If necessary, review key documents, websites, reports, etc. referenced in the draft denial letters.
- Upload revised draft letter into VCMS 10.3/VEMS.
- If PRF, notify Portfolio Manager that file is ready for PRF process and make VCMS remark indicating that initial Federal Review is complete.
- Ensure VCMS record is in the correct queue: **QR (approvals) or L2 (all denials)**.
- Consider number and dollar of VA contracts associated with any renewal applications as part of risk to VA as annotated in VCMS
- Make appropriate recommendation in VCMS /VEMS
- Forward Letter to Determination Team and add to Letter Tracker.
- **If Case Analyst or Legal Analyst recommends Approval and a Substantive Point of law is missed, Federal Reviewer is to designate case to become PRF.** Continue with checklist from that point or return to Portfolio Manager for reprocessing PRF.



## **MyVA Verification Process Work Instruction**

---

- Write an error report if a substantive or administrative error is identified. Forward to Federal Team Supervisors- Update Federal Team error tracker spreadsheet.

### **Cancellation Letters- 1 Hour per case (All-NOPC/NVSC/ Appeal letters/Compliance Letters)**

- Review all VCMS remarks related to Cancellation process.
  - Review draft Cancellation Letters for accuracy (grammar, formatting, and regulatory application) and consistency with remarks and site visit reports.
  - If necessary, review key documents, websites, reports, etc. referenced in the draft letters.
  - Ensure draft Cancellation Letters are uploaded to VCMS 10.3/VEMS.
  - Ensure VCMS record is in the correct queue: L2 (NVSC/appeal approval) or CMP (NOPC/appeal denial)
  - Make appropriate recommendation in VCMS 10.3/VEMS
  - Forward Letter to Determination Team and add to Recommendation Tracker.

### **R4R Letters -Average 1 hours per referral**

- Review all remarks made by Legal Analyst.
- Review draft R4R Letters for accuracy (grammar, formatting, and regulatory application) and consistency with remarks.
- If necessary, review key documents, websites, reports, etc. referenced in the draft letters.
- Ensure draft R4R letters are uploaded to VCMS 10.3/VEMS
- Ensure VCMS record is in the L2 queue
- Make appropriate recommendation in VCMS 10.3/VEMS
- Forward Letter to Determination Team and add to Recommendation Tracker.

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

### Appendix F: Current Guidance Reference Sheet

---

#### GENERAL

##### Legal Organization of Applicant

- **Requirement:** The applicant must be legally organized to do business in its state of incorporation. A firm is not eligible for verification if it fails to “obtain and keep current any and all required permits, licenses, and charters, including suspension or revocation of any professional license required to operate the business.”
- **Reference:** 38 CFR § 74.1 (def of small business concern); FAR 19.001; 38 CFR 74.21(c)(9)
- **Possible Relevant Documents:** License, Certificate of Good Standing, Articles of Organization/Incorporation, Online SOS Screen Print.
- **Current Guidance:**
  - **The applicant must be legally organized in its state of incorporation.** For example, if the articles of organization list the firm as being organized in Vermont, it must be in good standing in Vermont. If it is registered as a foreign corporation in another state, the concern must be in good standing in its home state, as the foreign state’s registration depends on the validity of the registration in the state of organization/incorporation. However, if the concern is not in good standing in its foreign jurisdiction registration, that alone would not be a point of failure unless the submitted documentation or public research suggests that the concern conducts business in the foreign jurisdiction.
  - Some states require payment to verify a firm’s standing online. In these instances, due diligence should be performed to attempt to determine the status. This may include placing a phone call to the Secretary of State’s office and explaining the need for the information. If all reasonable options have been exhausted and the applicant’s status still cannot be determined, the matter should be elevated to the reviewer’s supervisor for additional guidance.
  - Generally, it is the contracting officer’s responsibility to ensure a firm is properly licensed based upon the place of performance. However, in the event that the applicant states it is not currently required to hold a license in the City or County, the Examiner must research this information and save a screen shot of the information to Section 10.3. **Licensing should only be a reason for denial if the absence of a license prevents the applicant from doing any business at all.** For example, if an applicant is located in Fairfax but does not have an active license to transact business in Fairfax, this would not be a reason for denial if the applicant also transacts business in Alexandria and is properly licensed in Alexandria. In other words, as long as the applicant is properly licensed to transact business in some place (and is legally organized in its state of incorporation), the requirement has been satisfied.

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- It is the contracting officer's responsibility to ensure that a firm has all the required licenses to perform on any given contract(s). The verification analysis of licenses is more important when it comes to critical licenses – contractor licenses, medical licenses, legal licenses, architectural licenses, etc. This analysis is also helpful in considering other issues....i.e. can the applicant even do this business without this license? Some states require a type of license to be able to manage a business from your home, and the absence of this licensed would be a reason to deny. **Bottom line – only deny on licenses if the applicant cannot operate without it.**

### Free of Federal Financial Obligations

- **Requirement:** The applicant and its eligible individuals must be free of significant delinquent or unresolved financial obligations owed to the Federal Government, including unresolved tax liens and defaults on Federal loans or other Federally assisted financing.
- **Reference:** 38 CFR § 74.2(d)
- **Current Guidance:** If the applicant has a delinquent federal debt listed in SAM or Lexis Nexis, the examiner is required to request information pertaining to the applicant establishing a payment plan or paying off the debt. **The applicant must submit official documentation outlining the debt payoff plan. A LOE is not sufficient.** If information is received, the recommendation is to approve with a high risk rating. If this information is not received, the applicant will be denied for this section.

## OWNERSHIP

### Direct Majority Ownership by Veteran

- **Requirement:** One or more Veterans must directly own at least 51% of the applicant concern. One or more Veterans must be entitled to receive at least 51% of the annual distribution of profits.
- **Reference:** 38 CFR § 74.3(a); 38 CFR § 74.3(d)
- **Possible Relevant Documents:** Operating Agreement, Stock Ledger/Certificates, Tax information to include Schedule C, K-1s or Schedule G.
- **Current Guidance:**
  - With regards to a corporation, refer to the Bylaws to determine if stock certificates must be issued. If the Bylaws require that stock certificates be issued then the applicant must provide copies of the stock certificates OR a stock ledger. If the Bylaws are silent refer to State law to determine if the issuance of stock certificates is required.
  - **Profits and Distributions**
    - **Corporations:** The default rule is that a dividend will be paid to a class on a pro rata basis. As corporate distributions are made through dividends you can assume a distribution will be made on a pro rata basis unless there is evidence to the contrary. Again, this guidance applies when there is only one

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

class of stock, and additional analysis may be required should a concern issue multiple classes. If there are multiple classes of stock, the case should be elevated for additional review.

- **LLCs:** Determination of profit distribution for LLCs should be performed in the following order:
    1. **Check the Operating Agreement.** If the Operating Agreement mentions that the profits are distributed based on the percentage of shares or pro rata, then this statement will be acceptable and the issue is satisfied. If the Operating Agreement is silent on profit distribution, go to Step 2.
    2. **Check the applicable state code.** If the state code mentions that the profits are distributed based on the percentage of shares or pro rata, then the issue is satisfied. If the state code is silent on profit distribution, go to Step 3.
    3. **Check the taxes.** If the most recent 2 years of tax documentation clearly shows that the Veteran received profit distributions commensurate with the Veteran's ownership interest, then the issue is satisfied. If the applicant is a start-up and is not able to provide 2 years of taxes reflecting profit distributions, we will accept 1 year of taxes. If the applicant is not able to provide any taxes, or the taxes provided do not show that the Veteran received profit distributions commensurate with the Veteran's ownership interest, then the issue is not satisfied.
  - **Exceptions:** 100% owners are presumed to automatically receive 100% of the profits and distribution
  - **Trusts:** Ownership by a trust, such as a living trust, may be treated as the functional equivalent of ownership by a veteran or service-disabled veteran where:
    - The trust is revocable,
    - The Veteran is the grantor,
    - The Veteran is a trustee, and
    - The Veteran is the sole current beneficiary
- Note: All 4 requirements must be met.**
- **401(k) Plan:**
  - As 401(k)s are legally distinct from ESOPs, it has previously been advised that the ESOP exception outlined in 38 CFR § 74.3(a) should not be extended to 401(k) plans. Therefore, the only way a SDV can satisfy the direct ownership requirement is if the 401(k) meets the trust exception outlined in 74.3(a) by demonstrating the 401(k) is revocable, the SDV is the grantor, a trustee and the sole current beneficiary. Typically 401(k)s are established by the concern, rather than the SDV and therefore there may be a grantor issue. Additionally, 401(k)s are almost always for the benefit of all

---

This document is related solely to the internal personnel rules and practices of VA OSD/DBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

the concern's employees and therefore there will likely be a sole current beneficiary issue.

- When requesting 401K Plan documents, ask for stock certificates / stock ledgers, as 401K ownership is often listed on those documents. Also, ensure that the 401K Plan Summary Description is requested. This document will reflect if the Plan is revocable, who is the grantor, who are the trustees, and who are the beneficiaries. You may also need to ask for a list of the employees currently using the plan.

### Unconditional Nature of Veteran Ownership

- **Requirement:** One or more Veterans must unconditionally own at least 51% of the applicant concern. Ownership must not be subject to conditions precedent, conditions subsequent, executory agreements, voting trusts, restrictions on assignments of voting rights, or other arrangements causing or potentially causing ownership benefits to go to another.
- **Reference:** 38 CFR § 74.3 (b)
- **Possible Relevant Documents:** Bylaws, Meeting Minutes, Operating Agreement, Shareholder Agreement
- **Current Guidance:**
  - As a general rule, the only issue we are consistently looking at with regard to 74.3(b) are automatic forfeitures of interest as a result of some triggering event. Most restrictions on transfers that we see have a subsequent right of first refusal provision in the document somewhere. However, if you have a case where you believe a restriction on transfer exists with no subsequent right of first refusal, please feel free to send to your supervisor for review.
  - Typically, 100%-owned, single-member LLCs are exempt from unconditional ownership issues. The regulation prohibits any arrangement that could cause or potentially cause the Veteran's ownership interest to go to another. If the Veteran owns 100% and is the sole member, there is no one else who could potentially take over the Veteran's interest and/or exert any kind of influence over that interest. In cases where the Veteran owns 100% but there are multiple members, you will need to read the ownership condition carefully to determine whether the Veteran's interest could potentially go to another member. But as a general rule of thumb, a single-owner, single-member LLC would not be denied on unconditional ownership.
  - Note that unconditional ownership is reviewed independently and the analysis is based on the provisions in the governing documents. We do not deny on unconditional ownership simply because there is also an issue with direct ownership or majority ownership.

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- **Bankruptcy.** Provisions that require automatic forfeiture of interest in the event of bankruptcy are not considered grounds for denial. (*Ambuild* court case)
- **Involuntary Dissolution.** Some governing documents contain a provision that requires the dissolution of the company in the event of certain triggering events. While the Veteran member may lose his or her membership interest when the company dissolves, the interest and ownership benefits would not go to another. Therefore the provision does not violate 38 C.F.R. § 74.3(b).
- **Unconditional Ownership**
  - **A right-of-first-refusal** is a standard provision used in normal commercial dealings, and does not burden the Veteran's ownership interest.
  - Going forward, a restriction on unconditional ownership affecting verification approval of a SDVOSB/VOSB would have to be based on a provision that, ***subject to an event or action***, would cause the Veteran to lose or forfeit his/her ownership interest. An example would be a 'morals' provision, where, for example, if Veteran owner is arrested or convicted of a crime, Veteran forfeits his/her ownership interest without compensation.
    - **Question 1:** Would the requirement that a Veteran or service-disabled Veteran obtain the approval of non-Veteran members/owners before withdrawing from the company violate 38 CFR § 74.3(b)?
    - **Answer:** No. This is a common requirement in Operating Agreements and company bylaws. However, it is not significantly different from requirements of non-Veteran approval before a transfer. In most instances, withdrawal from the company is similar to selling all of the interest. Therefore, these requirements, like requirements of approval before transfer, shall not be considered a restriction on unconditional ownership.
    - **Question 2:** Whether a requirement that, in selling his or her interest in a concern, a Veteran/service-disabled Veteran must sell that interest at a set price or by formula violates 38 CFR § 74.3(b)?
    - **Answer:** No. It is rare to see a set price or formula affecting the price of a *bona fide* offer from a third party. These are generally included for instances, where the owners/members are leaving without an offer to buy, such as dissolution of the company. However, even in the case that the formula extends to regular transfers, the Veteran has negotiated and agreed to these terms. Similar to rights of first refusal, such a provision only affects the terms of the transfer. Generally,

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

this would not operate as a restriction on unconditional ownership. However, if the formula or price is significantly below fair market value so as to make it commercially unreasonable, this would present a problem similar to forfeiture if the Veteran receives little or no value for his/her ownership interest. This instance would be exceedingly rare, and these cases should be elevated for additional review if this fact pattern is identified.

- **Question 3:** Does a provision that requires a Veteran/service-disabled Veteran to wait a certain period of time prior to selling his interest violate 38 CFR § 74.3(b)?
- **Answer:** This is not a particularly common term/condition of ownership documents. However, ultimately all such a requirement would do is delay a sale. The Veteran is still able to transfer his or her interest. This would not operate as a restriction on unconditional ownership.
- **Question 4:** Whether a provision that allows a non-Veteran to veto a sale with/without cause violates 38 CFR § 74.3(b)?
- **Answer:** This is no different from a requirement that non-Veterans approve the transfer in any significant way. Therefore, this would not be a restriction on unconditional ownership.
- **Question 5:** Whether a provision that provides that no sale of an ownership interest may result in the company ever being owned by less than 51% Veteran/service-disabled Veteran ownership violates 38 CFR § 74.3(b)?
- **Answer:** This is not a violation for the following reasons. These provisions are included in an effort to demonstrate to VA that the Veteran will always hold 51% as is required by the regulation. Often, these requirements are silent on what would happen if the Veteran attempted to sell or withdraw. Because an individual cannot be forced to maintain involvement in the company, VA can reasonably read into this type of term or condition that the Veteran will own 51% unless all owners consent otherwise.
- **Legal Review of Heritage Health Solutions, Inc. Shareholder Agreement**
  - **Background:** A legal review of Heritage Health Solutions, Inc. was conducted to determine whether any provisions imposed a condition subsequent in violation of 38 CFR § 74.3(b).
  - **Relevant Provisions:**
    - **5.1(a) Involuntary Transfers:** If a Shareholder has any notice or knowledge of any attempted, impending or completed Involuntary Transfer (other than an

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

Involuntary Transfer subject to Article 6 of this Agreement) of any of his Shares, whether by operation of law or otherwise, s/he must give immediate written notice to the Corporation specifying the number of Shares that are subject to the Involuntary Transfer and all pertinent information in his or her possession relating to the Involuntary Transfer. If any Shares are ever subject to an Involuntary Transfer (other than pursuant to Article 6 of this Agreement), the Corporation will, at all times thereafter, have the immediate and continuing option by notice to the owner of the Shares within six months after the date the Corporation first learns or has notice of the Involuntary Transfer, to purchase all the Shares for a purchase price per Share determined pursuant to section 7.1 below to be payable in accordance with section 7.2(b).

- **Recommendation:** Upon review of the relevant provisions, the Shareholder Agreement submitted does not impose a condition subsequent that would violate 38 CFR §74.3(b).
  - Typically, a prohibited condition subsequent is a specified event that when it occurs causes a shareholder to forfeit their interest. The language of the relevant provisions is distinguishable as the Corporation here is not imposing events that would cause a shareholder to forfeit his or her interest but merely creating contingencies should an outside influence (operation of law etc.) cause a shareholder to involuntarily transfer their shares. (Emphasis added) Section 5.1 does impose a requirement that the Shareholder notify the Company in writing of any “attempted, impending, or completed” Involuntary Transfers; however the Company does not create the event which would trigger an Involuntary Transfer. Rather, the Company merely reserves the right to purchase any Shares that are already subject to an Involuntary Transfer. (Emphasis added) This scenario is analogous to a right of first refusal where a Company maintains the right to purchase shares already offered for sale or transfer. As the Company is only purchasing shares that are already subject to a transfer, the provision would likely be considered commercially reasonable and therefore would not violate the verification guidelines in accordance with the Miles court decision.

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.



## MyVA Verification Process Work Instruction

---

### Community Property

- **Requirement:** A Veteran's ownership interest in the applicant may not be held as community property.
- **Reference:** 38 CFR § 74.3(f)
- **Possible Relevant Documents:** Tax information, Pre or Post-nuptial Agreement, Community Property Waiver, Transmutation Agreement, Marriage License, Articles of Incorporation, Articles of Organization
- **Current Guidance:**
  - Community property requirements are based on the state of the Veteran owner's residence (not where the business is located). Reference tax documentation as the primary source to determine state of residence.
  - Community property does not apply if the marriage occurred after the company was established. If the applicant claims this exception, request a marriage certificate or other documentation to confirm the claim that the marriage occurred after the formation of the company.
  - Refer to the previously filed taxes to find out if the Veteran filed "Single" or "Head of Household" in the most recent years.
  - In order to comply with this requirement, the spouse must transmute a portion of his or her community property interest in the applicant so that the Vet/SDV maintains at least a 51% unconditional or "sole and separate" ownership interest. This community property waiver cannot be limited to "in the event of divorce" or any other conditions, as this places a condition on the waiver, which in turn places a condition on ownership.

### CONTROL

#### Day-to-Day Control

- **Requirement:** One or more Veterans must control the day-to-day operations of the applicant.
- **Reference:** 38 CFR § 74.4(a)
- **Possible Relevant Documents:** Resume, Bank Signature Cards, Cancelled Checks, Contracts, Lease, Meeting Minutes, Operating Agreement, Bylaws, Online Research
- **Current Guidance:**
  - The evaluation of the Day-to-Day Control requirement involves looking at a **totality of the available evidence** to determine day to day control
    - Is the Veteran an authorized signer on the bank account?
    - Who signed the applicant's checks?
    - Who signed the applicant's lease?
    - Who signed the contracts?
    - Who is listed on the website as the management team?
    - Does the website or any other documentation list multiple locations? **If so, request a letter of explanation demonstrating**

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

**how the Vet/SDV is able to maintain management control over each location.**

- Who is listed as the point of contact in SOS, D&B, SAM, the SBA?
  - Does the SOS, D&B, SAM, or the SBA list a different address than that listed in the applicant's VetBiz profile? If so, request a letter of explanation to determine if the applicant has multiple locations. If the applicant has multiple locations, request letter of explanation demonstrating how the Vet/SDV is able to maintain management control over each location.
- Where does the Veteran live in relation to the applicant?
- How does the Veteran's experience relate to the non-Veteran's?
- What do the resumes reveal about the Veteran's duties and how the day-to-day operations of the applicant are conducted?
- What do LOEs say?
- Does the Veteran hold outside employment that may impact his or her ability to meet the Day-to-Day Control requirement?

Review based on a totality of the evidence, and generally this is not black and white.

- **We ask – in reality, regardless of what the operating agreement/bylaws say – WHO is actually running the applicant's day to day operations?**
- **RELATED TO CONTROL**: If the only reason for potentially denying on Day-to-Day Control is based on the fact that the Veteran does not have the power to control the applicant's decisions based on language in the applicant's governing documents, and NO other "totality of the evidence" reasons exist, approve on Day-to-Day Control and deny on Control of Decision-Making. If the applicant resolves the decision-making issues during the process, this will also cure the potential Day-to-Day Control issue.
- **RELATED TO HIGHEST OFFICER**: If the only reason for potentially denying on Day-to-Day Control is because the Veteran does not hold the highest officer position, and NO other "totality of the evidence" reasons exist, approve on Day-to-Day Control and deny on Highest Officer. If the applicant resolves the highest officer issues during the process, this will also cure the potential Day-to-Day Control issue.

### Experience of Veteran Manager

- **Requirement:** One or more Veterans must have the managerial experience and requisite management capabilities necessary to run the applicant.
- **Reference:** 38 CFR § 74.4(b)
- **Possible Relevant Documents:** Trade Licenses, Resume, LinkedIn
- **Current Guidance:**
  - Use the totality of the information available to determine the applicant's primary line of work. The primary NAICS code in SAM may help with this

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

determination, but it is not the sole source for determining primary line of work. CVE should review the applicant's website, resume, capability narratives, contracts, marketing material, NAICS codes, etc. to make a determination of primary line of work. Once this determination has been made, this line of work should govern CVE's review of experience. (**Note:** in some instances, an applicant may specialize in several unrelated lines of work. These applications must be reviewed on a case-by-case basis.)

- Does the Veteran have the experience to run the applicant, and does he/she have more experience than other non-Veteran owners?
- Who holds the critical licenses?
- If one of the non-Veteran's stopped working suddenly, would the Veteran be able to continue the operations? (This will often link to Undue Influence as well.)
- If the non-Veteran has more specialized experience, does the Veteran have the ultimate managerial and supervisory control over the non-Veteran?
- Is the concern in an industry that would generally be assumed to require more specialized industry-specific experience, education, and expertise? (e.g., construction, architecture, engineering, medical practices, etc.)

### Outside Employment Impact

- **Requirement:** An owner engaged in employment or management outside the applicant concern must submit a written statement supplemental to the application which demonstrates that such activities will not have a significant impact on the owner's ability to manage and control the applicant concern.
- **Reference:** 38 CFR § 74.4(c)(1)
- **Possible Relevant Documents:** Resume, Personal Taxes, Business Taxes, Payroll, number of hours worked for the applicant, Online Research, LOE or any information pertaining to outside employment.
- **Current Guidance:** If the Veteran currently has outside employment, **the applicant MUST provide a Letter of Explanation that explains how the outside employment will not have a significant impact on the SDV/Vet's ability to maintain control and management of the applicant.** If there is inconsistent information or the applicant has provided a vague response, seek further clarification. (e.g., "I work third shift." *What are the hours of third shift?*) If the SDV has outside employment, the LOE must provide the level of detail needed to demonstrate when and how the SDV manages the applicant. Some questions to ask and factors to consider when reviewing the totality of the circumstances surrounding outside employment:
  - Hours of operation based on the line of business (detailed hourly schedule for the SDV is always helpful).
  - Who is running the applicant while the SDV is at his outside job?
  - Does the SDV run the applicant out of his home as the only employee, or are there multiple owners/employees and the job has a physical location?

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- If the applicant has employees, how does the SDV manage, supervise, and respond to them during the day?
- If the applicant has a physical location, who is available to meet with customers when the SDV has the outside job?
- If the applicant has a physical office, how far away from it is the SDV's place of outside employment?
- Does the SDV's outside employment provide the flexibility needed to respond to needs of the applicant during the day, and to adjust his/her schedule in the event that additional time is required for the applicant (e.g., a contract is awarded to the applicant)?

### Full-time Management by Veteran

- **Requirement:** One or more veterans or service-disabled veteran owners who manage the applicant or participant must devote full-time to the business during the normal working hours of firms in the same or similar line of business.
- **Reference:** 38 CFR § 74.4(c)(3)
- **Possible Relevant Documents:** Resume, Personal Taxes, Business Taxes, Payroll, number of hours worked for the applicant, Online Research, LOE or any information pertaining to outside employment.
- **Current Guidance:** The information needed to evaluate this requirement is typically self-reported by the applicant in a LOE. We will typically accept the applicant's statement regarding number of hours worked as fact, unless we have reason to believe that the information provided by the applicant is not correct. As a general rule, 40 hours per week is considered full-time for most lines of work. However, it is possible to satisfy full-time with fewer than 40 hours per week. If the applicant attests to working fewer than 40 hours per week, discretion should be used to account for age of the applicant, number of active contracts, type of service provided, number of employees, amount of revenue being generated, etc. However, the burden is on the applicant to explain why fewer than 40 hours a week is enough to run the business in its current state. Typically, we are more lenient on startups, but there is no exception in the regulation that would exempt a startup from meeting this requirement.

### Highest Officer Position

- **Requirement:** One or more veterans or service-disabled veterans must hold the highest officer position (usually President or Chief Executive Officer) in the applicant or participant.
- **Reference:** 38 CFR § 74.4(c)(2)
- **Possible Relevant Documents:** Resume, Bank Signature Card, Contracts, Meeting Minutes, Operating Agreement/Bylaws, Internet Research
- **Current Guidance:**
  - Regardless of ownership, if the governing document(s) states that the company is Manager Managed and the documentation does not reflect that the Veteran owner has elected himself as Manager, we must deny on

---

This document is related solely to the internal personnel rules and practices of VA OSD/DBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

Highest Officer. So for example if under the management section of the OA it states the company shall elect a manager to manage the applicant, but there is no attached exhibit listing the managers, and the Veteran is not listed as Manager, we must deny based on highest officer. This rule applies even if the Veteran owns 100% of the company.

- If the applicant's governing documents do not require the election of officers, but make it optional (e.g., the corporation may choose to elect Officers...), we cannot require the applicant to elect officers. However, the applicant must clearly demonstrate that the Veteran/SDV holds the highest established position.
- For an LLC or partnership, if the OA or Partnership Agreement does not list a requirement for the appointment of officers, we will deem the management member or partner to hold the highest officer position. (See Control of Decision-making section for how to determine the management member.)
- If the governing documents state that there are officer positions – the SDV **MUST** be named to one of these positions in a binding legal document (e.g., Operating Agreement or meeting minutes – and they must be properly executed). We cannot rely on secondary self-serving evidence to determine that this requirement has been met.

### Control of Applicant Decision-Making (Corporations)

- **Requirement:** One or more veterans or service-disabled veterans must control the board of directors of a corporate applicant or participant.
- **Reference:** 38 CFR § 74.4(f)
- **Possible Relevant Documents:** Meeting Minutes, Bylaws, Shareholders Agreement
- **Current Guidance:**
  - If one Veteran owns 100% of the applicant, the Veteran is deemed to control the Board of Directors in accordance with 38 CFR § 74.4(f)(1)(i).
  - In order for CVE to deem the Veteran to control the Board under 74.4(f)(1)(ii), the following criteria must be met:
    - Single Veteran owns at least 51%
    - Individual is on the Board of Directors
    - Veteran must be able to overcome any supermajority voting requirements except with regard to those items considered as extraordinary events. Noted examples of extraordinary events include:
      - Determination to engage in a substantially and materially different business enterprise than originally agreed;
      - to prevent altering or amending the firm's charter, operating agreement or bylaws, in a way that materially alters members' rights;
      - when issuing additional shares of stock;

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- sale or disposition of all or substantially all of a concern's assets;
  - acceptance of new capital contributions,
  - addition of members to an LLC
  - company filing for bankruptcy
- Veteran must have the power to remove a Director at any time with or without cause.
- The SDV can own 100% of the corporation and be deemed to control the Board of Directors even if he/she is not a Director. However, this would be a red flag for other areas of control in 74.4. For example 74.4(c)(2) and (3) requires that a SDV owner devote full-time management, and an eligible full-time manager must hold the highest officer position. So even if the SDV is not on the board, the applicant still needs to demonstrate that the SDV owner manages the firm, devotes full-time, is the highest officer, etc. In other words, just because the applicant satisfies 74.4(f)(1)(i), doesn't necessarily mean it satisfies all other control and management requirements. Each needs to be examined.
- **Bylaws must be properly executed.** Generally, this is demonstrated through signed and dated meeting minutes documenting the adoption of the Bylaws by the Board of Directors.
  - **"Digital signatures"** are acceptable so long as we can reasonably conclude that the individual has demonstrated the intent to cast a signature. Some examples include a digital signature using an authenticated token such as a PIV card; a typed name in a cursive font; and a typed name using "/s/" or some signature designation.
  - **The SDV/Vet must have the unilateral ability to amend the controlling governing documents.** A Veteran owner is not required to have the ability to unilaterally amend all governing documents; however, he or she must have the power to unilaterally amend any documents that govern the control, management, and/or normal operations of the business except with regard to those items considered as extraordinary events. Noted examples of extraordinary events include:
    - Determination to engage in a substantially and materially different business enterprise than originally agreed;
    - to prevent altering or amending the firm's charter, operating agreement or bylaws, in a way that materially alters members' rights;
    - when issuing additional shares of stock;
    - sale or disposition of all or substantially all of a concern's assets;
    - acceptance of new capital contributions,
    - addition of members to an LLC

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- company filing for bankruptcy

In the case of a corporation, this would most likely be the Bylaws, but may also apply to the Shareholders Agreement if this agreement contains control or management provisions.

- **Amendments:** If an applicant submits more than one version of the same governing document at any time during the verification process, amended versions or amendments to a previous version must be clearly identified as such. Preferably, this is accomplished by renaming the newer version to reflect an amendment. (E.g., “Amended and Restated Operating Agreement,” or “Second Amendment to the Operating Agreement.”) Alternately, the applicant may elect not to rename the document. This is only acceptable if the newer version is executed with a newer date than the previous version. If the newer version is neither renamed nor re-dated, CVE cannot reasonably conclude which version governs.
- **Block voting:** In cases where a corporation is, for example, owned 33% Vet, 33% Vet and 33% non-Vet, there may be an issue of negative control if there is no block voting established in the governing documents. So if a majority of shares is required to form a quorum there are scenarios where if one Vet is not available, the presence of the non-Vet 33% shareholder would be necessary to form a shareholder quorum. As a result, the non-Vet has the ability to exert negative control by choosing not to be present and blocking a quorum. Also, voting deadlocks may occur if a quorum is formed by a 33% shareholder Vet and a 33% shareholder non-Vet. Also, the non-Vet can be the deciding vote if all three shareholders form a quorum and a disagreement arises between the two Vet shareholders.
- **“Unable to act.”** A provision found in the Bylaws (or other governing document) that allows a non-Vet to assume management control of the company in the absence of the Vet/SDV affects control of decision making. An example of such a provision is, *“In the absence of the President or in the event of the President’s inability to act, [Non-Vet Name] shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all of the reactions upon the President.”* As a result of this provision, the non-Vet has the ability to potentially manage the applicant when the Vet/SDV is absent from the office or unable to act for some reason, which has not been clearly defined. The phrase “unable to act” (or any similar phrase) is ambiguous, and leaves too much room for interpretation, and therefore too much room for potential control by a non-Veteran.
  - A provision such as the one listed above may be acceptable if it more clearly and specifically defines the circumstances under which the Veteran is absent. The circumstances must relate to a disability or serious, long-term health issues that would prevent the Veteran from performing his or her duties. Any other circumstances would most likely not be accepted, but may be elevated for additional review if a unique circumstance for absence is identified.

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- **Conflicting documentation:** An applicant should submit only the governing document that pertains to its business type:
  - LLCs should submit an Operating Agreement
  - Corporation should submit Bylaws
  - Partnerships should submit a Partnership Agreement

However, if the applicant submits Bylaws and an Operating Agreement, for example, and it is not clear which is the governing document, we must request clarification from the applicant. The applicant's clarifying response must include an official signed and dated resolution showing that one document is the official governing document and the other document is null and void. If the applicant does not adequately demonstrate which document governs, then we must review both documents and each should be given equal weight. If either document reveals an area of regulatory non-compliance, this would be a point of failure. To correct, the provision causing the point of failure must be amended.

### Control of Applicant Decision-Making (LLC and Partnerships)

- **Requirements:**
  - In the case of a partnership, one or more veterans or service-disabled veterans must serve as general partners, with control over all partnership decisions. A partnership in which no veteran is a general partner will be ineligible for participation.
  - In the case of a limited liability company, one or more veterans or service-disabled veterans must serve as management members, with control over all decisions of the limited liability company.
- **Reference:** 38 CFR § 74.4(d) and (e)
- **Possible Relevant Documents:** Operating Agreement, Partnership Agreement, Meeting Minutes,
- **Current Guidance:**
  - **The Operating Agreement/Partnership Agreement must be properly executed.**
    - **"Digital signatures"** are acceptable so long as we can reasonably conclude that the individual has demonstrated the intent to cast a signature. Some examples include a digital signature using an authenticated token such as a PIV card; a typed name in a cursive font; and a typed name using "/s/" or some signature designation.
  - **Single-member LLC**
    - **Member-managed:** If the OA does not list a requirement for there to be a Manager/Managing Member, and one has not been elected, we will presume that the single member is the management member. Further, if the OA does not list a requirement for the appointment of officers, we will deem the management member to hold the highest officer position.

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.



## MyVA Verification Process Work Instruction

---

- **Manager-managed:** If the OA requires a Manager/Managing Member or gives express authority to the Manager/Managing Member, and there is no official documentation reflecting that the SDV has been appointed to this position, then the applicant has not satisfied 38 CFR § 74.4(e), regardless of how quickly or easily the single member could appoint himself/herself as Manager.
  - Example 1: “Only members elected as Managers will have control over the decisions of the company...”
  - Example 2: “The company will be managed by the Managing Member...”
- **Multiple-member LLC**
  - **Member-managed:** If the OA does not list a requirement for there to be a Manager/Managing Member, and one has not been elected, we will presume that the member who controls all decisions is the management member. Further, if the OA does not list a requirement for the appointment of officers, we will deem the management member to hold the highest officer position.
  - **Manager-managed:**
    - If the OA requires a Manager/Managing Member or gives express authority to the Manager/Managing Member, and there is no official documentation reflecting that the SDV has been appointed to this position, then the applicant has not satisfied 38 CFR § 74.4(e), regardless of how quickly or easily the majority member could appoint himself/herself as Manager.
    - If more than one Member has been appointed as Manager/Managing Member, we will presume that the Manager who controls all decisions is the management member. Further, if the OA does not list a requirement for the appointment of officers, we will deem the management member to hold the highest officer position
- **The SDV/Vet must have the unilateral ability to amend the governing documents.** For LLCs this is a two part analysis and **Operating Agreements must be signed by all members to be legally enforceable**, so even if the SDV/Veteran has the unilateral ability to make changes to the Operating Agreement, the non-Veterans might still block the implementation/ adoption by refusing to sign the new OA – so there should be a second element that we look for in the OA. For example, a paragraph that gives “additional assurances”: “Each Member agrees to perform all further acts and execute, acknowledge and deliver any documents which the Company deems reasonably necessary to effectuate the provisions of this Second Amended and Restated Operating Agreement.” Ultimately, both prongs must be satisfied:
  - Prong 1: The Veteran must have unilateral control over the decision to amend the Operating Agreement.

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- Prong 2: The Veteran must have unilateral control over the decision to adopt the amendment that was approved in Prong 1.
- **Amendments:** If an applicant submits more than one version of the same governing document at any time during the verification process, amended versions or amendments to a previous version must be clearly identified as such. Preferably, this is accomplished by renaming the newer version to reflect an amendment. (E.g., “Amended and Restated Operating Agreement,” or “Second Amendment to the Operating Agreement.”) Alternately, the applicant may elect not to rename the document. This is only acceptable if the newer version is executed with a newer date than the previous version. If the newer version is neither renamed nor re-dated, CVE cannot reasonably conclude which version governs.
- **“Unable to act.”** A provision found in the Operating Agreement (or other governing document) that allows a non-Vet to assume management control of the company in the absence of the Vet/SDV affects control of decision making. An example of such a provision is, *“In the absence of the Manager or in the event of the Manager’s inability to act, [Non-Vet Name] shall perform the duties of the Manager, and when so acting, shall have all the powers of and be subject to all of the reactions upon the Manager.”* As a result of this provision, the non-Vet has the ability to potentially manage the applicant when the Vet/SDV is absent from the office or unable to act for some reason, which has not been clearly defined. The phrase “unable to act” (or any similar phrase) is ambiguous, and leaves too much room for interpretation, and therefore too much room for potential control by a non-Veteran.
  - A provision such as the one listed above may be acceptable if it more clearly and specifically defines the circumstances under which the Veteran is absent. The circumstances must relate to a disability or serious, long-term health issues that would prevent the Veteran from performing his or her duties. Any other circumstances would most likely not be accepted, but may be elevated for additional review if a unique circumstance for absence is identified.
- **Conflicting documentation:** An applicant should submit only the governing document that pertains to its business type:
  - LLCs should submit an Operating Agreement
  - Corporation should submit Bylaws
  - Partnerships should submit a Partnership AgreementHowever, if the applicant submits Bylaws and an Operating Agreement, for example, and it is not clear which is the governing document, we must request clarification from the applicant. The applicant’s clarifying response must include an official signed and dated resolution showing that one document is the official governing document and the other document is null and void. If the applicant does not adequately demonstrate which document governs, then we must review both documents and each should

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

be given equal weight. If either document reveals an area of regulatory non-compliance, this would be a point of failure. To correct, the provision causing the point of failure must be amended.

### Highest Paid

- **Requirement:** No non-Veteran may receive compensation from the applicant or participant in any form as directors, officers or employees, including dividends, which exceeds the compensation to be received by the highest officer (usually chief executive officer or president). The highest ranking officer may elect to take a lower salary than a non-veteran only upon demonstrating that it helps the applicant or participant.
- **Reference:** 38 CFR § 74.4(g)(3)
- **Possible Relevant Documents:** Personal Taxes, Business Taxes (K-1), Payroll, Letter of Explanation
- **Current Guidance:**
  - 38 CFR § 74.4(g)(3) does not prohibit a non-Veteran from receiving the same salary as the SDV owner. If a non-Veteran is receiving more compensation than the SDV owner, the regulation requires the SDV to provide an explanation that demonstrates how the SDV receiving a lower salary benefits the applicant. **Equal compensation is not grounds for denial.**
  - If an applicant states that it does not have payroll or W2's because it subcontracts its work or pays through 1099's, we should request the 1099's or subcontracting documentation. These 1099's will not be used to analyze the Highest Paid requirement, but the information obtained from the 1099's may yield red flags that should be considered when evaluating other control issues, such as undue influence. **(NOTE: 1099 contractors are not considered employees for the purposes of Verification.)**

### Undue Influence/Undue Dependence

- **Requirement:** The applicant must be able to stand on its own without undue influence from or dependency on a non-Veteran or other entity. A non-Veteran may be found to control when the non-Veteran holds a critical license which directly or indirectly allows the non-Veteran to significantly influence business decisions. Business relationships may not exist with non-veterans or entities

---

This document is related solely to the internal personnel rules and practices of VA OSDBU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

which cause such dependence that the applicant or participant cannot exercise independent business judgment without great economic risk.

- **Reference:** 38 CFR §§ 74.4(i)(2) and (4)
- **Possible Relevant Documents:** Resume, Personal Taxes, Business Taxes, Contracts, Duplicate Owner Tab, Letter of Explanation, Google/online research
- **Current Guidance:**
  - If the Veteran/service-disabled Veteran owns at least 51% of an outside entity and controls that entity, there is no issue with undue influence related to that outside entity, as the SDV can never cause undue influence on himself. **The only way to know for sure if the Veteran/SDV owns and controls the outside entity is if the outside entity is verified in VIP.** If the outside entity has not been verified or we cannot clearly show that the Veteran/SDV owns and controls the outside entity in accordance with verification standards, then undue influence is still a potential finding. **NOTE:** 100% ownership is not what's important when determining whether the applicant is unduly dependent on an outside entity. The Vet could own 100% of the outside entity and still not have full control over it (unlikely, but we can't assume). If the Vet does not have full control over the outside entity, then it is possible for decisions to be made on behalf of the outside entity outside of the Vet's control that cause undue influence on the applicant.
  - If an applicant states that it does not have payroll or W2's because it subcontracts its work or pays through 1099's, we should request the 1099's or subcontracting documentation. These 1099's will not be used to analyze the Highest Paid requirement, but the information obtained from the 1099's may yield red flags that should be considered when evaluating other control issues, such as undue influence. **(NOTE: 1099 contractors are not considered employees for the purposes of Verification.)**
  - Key questions:
    - Can the company survive on its own without any outside assistance?
    - Is the company dependent on something or someone to remain viable?
    - The burden is on the applicant to demonstrate to CVE that it is not unduly influenced by or dependent upon a non-Veteran or entity. Has the applicant demonstrated this?
  - Factors to consider:
    - Experience of Veteran vs. experience of non-Veterans
    - Address of applicant
    - Who signed the lease?
    - Has the Veteran always owned the company?
    - Who has contact with CVE with regards to the application process?
    - Whose e-mail is listed in the VIP profile?
    - Look at online databases (website, LinkedIn, SAM, D&B, SOS, etc.)

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

- Are there co-listed companies especially in the same line of business?
- What is the relationship with any non-veteran owner(s)?
  - Is there co-location issues that would lead to dependence (free lease etc.)
  - Is there a former work relationship identified with non-Vets?
  - Is there a financial relationship that leads to dependence (to include bonding, free workers, or staffing) or other financing from an outside entity
- Does the Vet have to rely on an outside company person or workers for most or all of the accomplishment of the work (i.e., pass-through)?
- Does the Veteran's outside employment require him or her to depend on another person to maintain the operations of the applicant?

### SBA Size Standard "Small Business"

- **Requirement:** The applicant business must qualify as a Small Business Concern per the SBA guidelines
- **Reference:** 38 CFR § 74.13 (d), 13 CFR §121
- **Possible Relevant Documents:** Personal Taxes, Business Taxes, Payroll (941 information), USASpending.gov
- **Current Guidance:**
  - An applicant must be considered small for **ALL** NAICS codes listed in the applicant's VIP profile.
  - The applicant should remove all offending NAICS codes from its profile.

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## Appendix G: Post Review Findings (PRF) Policy Memo

---



Department of  
Veterans Affairs

# Memorandum

Date: February 10, 2016

From: Acting Director, Center for Verification and Evaluation (CVE)

Subj: Post-Review Findings (PRF) Program

To: CVE Distribution

1. **Purpose:** To establish the process and policies governing the Post-Review Findings (PRF) Program.
2. **Background:** In the original ("Production Model") verification process, CVE established two elective sub-processes (PDF (Pre-Determination Findings) and PDP (Pre-Decision Process)) whereby an applicant with negative findings could avoid a denial by withdrawing its application or correcting the issues identified. These sub-processes were distinguished by whether the negative findings were considered "easily correctable" or not. In the new Focused Review Model (FRM) verification process, findings will no longer be categorized as "easily correctable," and PDF and PDP will no longer exist. The new denial avoidance sub-process will be called the Post-Review Findings (PRF) Program and will be offered to all applicants with any negative findings identified during the Assessment stage of the verification process.
3. **Policy:**
  - a. All applications designated for FRM processing will undergo the Pre-Qualification process as established in applicable policy memos and work instructions. Any negative findings identified during the Pre-Qualification process will be addressed in accordance with the aforementioned memos and work instructions.
  - b. Once an application had cleared the Pre-Qualification stage, the Case Analyst or Assessor will conduct a complete review ("Assessment") of all required and clarifying documentation, which may reveal negative findings not identified during Pre-Qualification.
  - c. Any negative findings identified during the application Assessment will be presented to the applicant through the Post-Review Findings (PRF) Program.
  - d. The following steps outline the PRF process:
    - 1) If a Case Analyst is reviewing the application when PRF findings are identified, the Case Analyst will escalate the application to an Assessor IAW the established escalation criteria. If an Assessor is reviewing the application when the PRF findings are identified, no

---

This document is related solely to the internal personnel rules and practices of VA OSD BU CVE as defined by FOIA Exemption 2.

## MyVA Verification Process Work Instruction

---

escalation is needed, and the Assessor will proceed with the PRF steps as outlined below.

- 2) Assessor will complete the review to determine if one or more negative findings exist.
- 3) Once the initial Assessment is complete with a recommendation to deny the application, the Assessor will upload a Review Sheet and draft denial letter to 10.3, update VCMS Remarks, and notify the Case Coordinator.
- 4) Case Coordinator will assign the application for Pre-PRF Federal Review.
- 5) Federal Reviewer will complete a review to confirm or overturn the Assessor's recommendation to deny.
  - 1) If the Federal Reviewer overturns the Assessor's recommendation to deny, the appropriate follow-on actions will be taken to approve the application or conduct additional review as necessary. **END OF PRF PROCESS.**
  - 2) If the Federal Reviewer confirms the Assessor's recommendation to deny, continue to Step 6.
- 6) Federal Reviewer will update VCMS Remarks, upload a revised draft denial letter to 10.3 if applicable, and notify the Case Coordinator that the Pre-PRF Federal Review has been completed and the case is ready for PRF.
- 7) Case Coordinator will reassign the application to the original Assessor to initiate the PRF process.
- 8) Assessor will draft the PRF Letter using the PRF Letter templates provided.
- 9) Assessor will send the PRF Email using the PRF Email templates provided. The Assessor will attach the following documents to the PRF Email:
  - 1) PRF Letter in .pdf format
  - 2) PRF Participation Election Form
- 10) Assessor will make a phone call to the applicant to explain the PRF process, and then will update VCMS Remarks to reflect actions taken and deadline for the applicant to respond.
- 11) As outlined in the PRF Email, the applicant will have 2 full business days from the date of the PRF email to submit a PRF Participation Election Form. The applicant must choose one of the following options:
  - 1) Participate in the PRF Program
  - 2) Withdraw its application
  - 3) Accept a denial letter
- 12) If the applicant elects to withdraw its application, the applicant will have an additional 2 full business days to complete the withdrawal in VIP.
  - 1) If the applicant completes a timely withdrawal, **END OF PRF PROCESS.**

## MyVA Verification Process Work Instruction

---

- 2) Failure to respond to the PRF email or failure to withdraw by the established deadline will result in CVE issuing a denial letter. Continue to Step 13.
- 13) If the applicant elects to accept a denial letter or fails to meet the requirements in Step 12, the Assessor will update VCMS Remarks and notify the Case Coordinator that the application is ready for Post-PRF Federal Review.
  - 1) Case Coordinator will assign the application to the original Federal Reviewer.
  - 2) Federal Reviewer will process the denial letter IAW the applicable work instructions. **END OF PRF PROCESS.**
- 14) If the applicant elects to participate in the PRF Program, the applicant will have an additional 5 full business days to submit any documentation necessary to address the negative finding(s) outlined in the PRF email. Assessor will update VCMS Remarks to reflect the deadline for the applicant's document submittal.
  - 1) If the applicant fails to submit corrective documentation by the established deadline, go to Step 16.
  - 2) If the applicant submits corrective documentation in a timely manner, continue to Step 15.
- 15) Upon receipt of the applicant's timely PRF corrective documents, the Assessor will have 5 full business days to review the new documentation to determine if the negative findings have been overcome.
- 16) If the PRF corrective documents do not cure the negative findings, the corrective documents create new negative findings, or the applicant fails to submit corrective documents:
  - 1) Assessor may request a Federal Review prior to proceeding, but is not required to do so.
  - 2) Assessor will draft a Final PRF Letter using the Final PRF Letter templates provided.
  - 3) Assessor will send the Final PRF Email using the Final PRF Email templates provided. The Assessor will attach the following documents to the Final PRF Email:
    - a. Final PRF Letter in .pdf format
    - b. Final PRF Participation Election Form
  - 4) Assessor will make a phone call to the applicant to explain the outstanding issues, and then will update VCMS Remarks to reflect actions taken and deadline for the applicant to respond.
  - 5) As outlined in the Final PRF Email, the applicant will have 2 full business days from the date of the Final PRF Email to submit a Final PRF Participation Election Form. The applicant must choose one of the following options:
    - a. Withdraw its application
    - b. Accept a denial letter
  - 6) If the applicant elects to withdraw its application, go to Step 12.

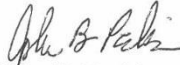


## MyVA Verification Process Work Instruction

---

- 7) If the applicant elects to accept a denial letter or fails to meet the requirements in Step 12, go to Step 13.
- 17) If the PRF corrective documents cure the negative findings:
  - 1) Assessor will upload a Post-PRF Review Sheet and draft approval letter to 10.3, update VCMS Remarks, and notify the Case Coordinator.
  - 2) Case Coordinator will reassign the application to the original Federal Reviewer for Post-PRF Federal Review.
  - 3) Federal Reviewer will complete a review to confirm or overturn the Assessor's recommendation to approve.
    - a. If the Federal Reviewer overturns the Assessor's recommendation to approve, the Federal Reviewer will notify the Case Coordinator, who will return the application to the Assessor to either process a Final PRF (go to Step 16) or to allow the applicant another chance at the PRF process (go to Step 8).
    - b. If the Federal Reviewer confirms the Assessor's recommendation to approve, the Federal Reviewer will process the approval letter IAW the applicable work instructions. **END OF PRF PROCESS.**

**4. Timing:** This policy is effective as of the date of this memo.

  
John B. Perkins  
Acting Director